

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Scott LaDell Vance )  
Application No.: 10/709,345 ) Group Art Unit: 2618  
Filed: April 29, 2004 ) Examiner: Wen Wu Huang  
Title: DEVICE AND METHOD FOR )  
HANDS-FREE PUSH-TO-TALK )  
FUNCTIONALITY )

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**INTERVIEW SUMMARY**

Applicant participated in an Examiner Interview conducted on June 23, 2009. In the Interview, the Examiner cleared up confusion caused by the Interview Summary attached to the Examiner's Answer. Further, the Examiner requested Applicant to withdraw claims 37 and 41-45 from consideration in the pending Appeal rather than reopening prosecution to issue new grounds of rejection. In order to expedite a decision from the Board, Applicant agrees to withdraw claims 37 and 41-45 from consideration from the pending Appeal. As such, claims 1, 4-5, 9-14, 22, 26-31, 33, and 35-36 should be considered during the present Appeal. It is noted that Applicant is not cancelling claims 37 and 41-45 and may pursue these claims after the decision from the Board. No admission is made as to the patentability of claims 37 and 41-45.

Respectfully submitted,

Date: 6/24/09

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